GENERAL AND REVENUE SECRETARIAT.

19 10.

(Miscl)

File No. 209-10

Serial Nos. 1 and 2.

Papers Filed.

Month December 10

SUBJECT.

~~From~~ Tour of the Murusavira Matt Swami of Hubli

PREVIOUS REFERENCES.	LATER REFERENCES
	Desp 248-41-1-7

G.R.S.11] 1910-11

GENERAL AND REVENUE SECRETARIAT

(Mus:)

NOTES.

File No. 209 10-11.

FILE HEADING.

Tour of the Muradavia matt Swamy of Hubli.

From

The Dep: Com^r Shimoga Div^n

No. 128/31 Dated 10-10-10 Received 22-10-10.

Diary No. 735 | Enclos. Vern: papers Spare Copies - | Serial No. 1

BRIEF ABSTRACT OF LETTER.

Requests instructions as to whether the Swamy of Muradavia matt of Hubli, Dharwar Dist, may be allowed to tour in the Div^n with the insignias Specified in the margin

NOTES AND ORDERS.

The agent of the matt writes that the Swamiji intends to travel through the Shimoga Div^n from the Margasira month to Magha i.e. Early in Dec^r 10 to about the end of Feb^y 1911 In one of the Circulars issued by the Div^n Mogh

Notes—First sheet

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of Poona to Mamlatdars &c, he mentions
Cross pakangui. I am doubtful if this
can be allowed in any part of this State
being Shiv Swamy except the Sringeri
Jagadguru. So also the Vyasan Tola pro-
cession to which however no mention is
made in any of the said Circulars.

Orders solicited.

8/11/10 — Submitted to Col. Commissioner
from whom enclosures the Swamy
obtained exemption from personal
appearance and the exemption from
the provisions under the Arms Act.

It is my humble opinion that this Swamy
may be permitted to use the insignia desired
as there is no objection by any body.

Asst Surveyor

7/11/1910

Apparently this Swamy has not
come here at any time before
this. I think it will be a-
gainst the rules under which
we have been acting to allow
all the insignia claimed but g-
ant any sanctions merely be-
cause there is no objection by

I see Mr. Fawcett giving in the remarks column that this item is pertaining to the Shiv Swamy

NOTE—Contn sheet.

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anybody. None of the documents produced (which after all are uncertified copies) Specify the insignia that he was allowed to carry. For example, Makara torana and ~~D~~ divatige (which I presume would be used during the day time also) are considered very high in this State and are not allowed to anybody except after very strict proof. It should also be noted that an exemption under the Arms Act in Br. India has no operation whatever here. The Guru should be asked by the D.C. to obtain a license here.

5. If the D. C. had not asked the Kárbári to enumerate the insignia, it would perhaps have been better.

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We might then easily have given a passport or allowed him to go about without one — on the understanding that he should keep within his rights at his own risk. Even now perhaps it would be best to give a general permit, saying that the progress should be conducted with due regard to the Mahmúl and laws in force in the Mysore State. This should be given by the Dist-Magte himself.

6 If enumeration is considered necessary, I think we may recognise all but the two named by me.

[1] The Ittle Jagadguru is also worthy of note. The D. M. should, I think, be asked to ~~obtain it~~ avoid it in his communications.

Drowan 8/11/10

8/11

8/11/10

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14

Submitted to Dewan with a draft
Ambedkar 8/11/1910

864
11.11.10

Draft kept altered & approved —
Please circulate to Councillors
Ambedkar 10/11/10
8/11

circulate
8/11
10/11/10

287

Submitted to Full Committee
10.11.10 Ambedkar V —

1259
2/11

Draft may be approved —
The Nurusamma matt in Hubli
is an important matt held
in great veneration in those
parts 1/11
23/11/10
29/11

Submitted to Secretariat with
Ambedkar
25/11/1910

953

Seen
29/11/10

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G. R. S. 12]
General and Revenue Secretariat.

File No. of 190

Serial No.

2

1. Mena. 1 పల్లకి

12. Palanquin bearers. 12 పల్లకి వాళ్లు.

2. Chetry men. 2 ఛత్రం పట్టుకున్నవాళ్లు

2. Aftagiri. 2 అఫ్తగిరి పట్టుకున్నవాళ్లు

2. Silver cane holders. 2 వెండి కోల పట్టుకున్నవాళ్లు

2. Gold cane holders. 2 బంగారు కోల పట్టుకున్నవాళ్లు

2. Silver sota holders. 2 వెండి సోటా పట్టుకున్నవాళ్లు.

2. Gold handle chamra holders. 2 బంగారు చామరం పట్టుకున్నవాళ్లు

2. Silver handle chamra holders. 2 వెండి చామరం పట్టుకున్నవాళ్లు

2. Men with head drums 2 తలమీద డక్కా వాయించేవాళ్లు.

2. Devatige holders. 2 దేవతిగె పట్టుకున్నవాళ్లు

2. Makara torana holders. 2 మకర తోరణం పట్టుకున్నవాళ్లు

2. Chingaley bearers. 2 చింగలే పట్టుకున్నవాళ్లు.

20 Servants. 20 నౌకరులు.

2. Mayi marthab men. 2 మాయి మర్యాద వాళ్లు

2. Clerks. 2 గుమాస్తాలు.

10. Horses. 10 గుర్రాలు.

1. Elephant. 1 ఏనుగు.

2. Camels. 2 ఒంటెలు.

4. Country carts. 4 ఎడ్ల బళ్లు.

2. Dog carts. 2 కుక్కల బళ్లు

10. Sepoys. 10 శిపాయిలు.

1900 ?/32

From K. Srinivasa Rao B.A.B.L.
Dy. Commissioner
Shimoga District

To C. S. Balasundram Iyer Esq. B.A.
Offg. Secretary to Government
General and Revenue Depts.

Dated 16th October 1910.

Despatched

Received

General No. 128

No. 31

Enclosure No. Nil

Requests instructions as to whether the Swamy of Munsavira Matt Hubli, Dharwar District may be allowed to tour in this District with the insignias specified in the yadi received from the agent of the said Matt

P.V.
24/10/10

Office of the Deputy Commissioner,

Shimoga District.

Dated Shimoga, 10th October 1910.

126/31

From

K. Srinivasa Row Esquire,

Deputy Commissioner,

SHIMOGA.

To

C. S. Balasundaram Iyer Esquire B. A.,

Officiating Secretary to the Government of

His Highness the Maharaja of Mysore,

Muzrai Department,

BANGALORE.

Sir,

I have the honor to submit herewith Yadi No. 57 dated 21st September 1910 from the agent of Sri Jagadguru Gangadharaswamy Murusavira Matt, Hubli Dharwar District. in original praying for permission to give him necessary assistance while touring in the Shimoga District with the marginally noted insignias and to request that I may be instructed, whether the Swamygalvaroo may be allowed to tour in this District with the above said insignias as desired by him.

The enclosures received with the above Yadi are herewith submitted for favor of reference and kind return.

I have the honor to be,

Sir,

Your most obedient servant,

Deputy Commissioner,

Shimoga District.

12వ ప్రశ్నకు సమాధానం - శ్రీ గిరిజన సహకార సంస్థ ద్వారా సేకరించిన ఉత్పత్తులు

1) సాధారణ సామాన్య - చత్తీస్‌ఘడ్ మాంగ్ శిఖర మాంసం వస్తువులు

మరియు మాల్కో మహిళా అభివృద్ధి సంస్థ ద్వారా తమ జిల్లాలలో సేకరించిన

వివరిస్తారు.

ఎ) మేకలు

బి) గొర్రెలు

సి) బత్తాయి వస్తువులు

డి) ఆప్రికాట్ పళ్ళ వస్తువులు

ఇ) బత్తాయి పళ్ళ వస్తువులు

ఎఫ్) నువ్వుగింజ పళ్ళ వస్తువులు

జి) చిక్కుళ్ళు సోయాచిక్కుళ్ళు వస్తువులు

హెచ్) బొగ్గు కాల్చిన బొగ్గు వస్తువులు

ఐ) చిక్కుడు కాయ బొగ్గు వస్తువులు

జె) తేలిగ్గా చెట్టు చూరు నువ్వు బొగ్గు వస్తువులు

కె) దిగువ పళ్ళ వస్తువులు

ఎల్) మేక తోలు వస్తువులు

ఎం) వెదురు చిన్న కాళ్ళ ఉత్పత్తులు

ఎన్) వేరుశనగ

ఓ) మొక్కజొన్న వస్తువులు

పి) అక్షరాలు

క్యూ) గజ్జి

ఆర్) వంకాయలు

ఎస్) చెక్క డబ్బాలు

టి) సాంకేతిక పళ్ళు

యు) శీతాకాలపు పళ్ళు

6.10.10
Write 15 Nos
Veena Reddy
Asst Director
Tribal Welfare
Govt of Andhra Pradesh

ఫుల్ గాం
పిర్

శ్రీ శంకరప్ప అక్కప్ప జోపుగి - సంచాలకులు, గిరిజన సహకార సంస్థ, చత్తీస్‌ఘడ్ రాష్ట్రం - శ్రీ సాధారణ సామాన్య వస్తువులు, చిక్కుళ్ళు, బొగ్గు వస్తువులు, పళ్ళ వస్తువులు, తోలు వస్తువులు, వెదురు ఉత్పత్తులు, వేరుశనగ, మొక్కజొన్న వస్తువులు, అక్షరాలు, గజ్జి, వంకాయలు, చెక్క డబ్బాలు, సాంకేతిక పళ్ళు, శీతాకాలపు పళ్ళు

Shankarappa Akkappa Jopugi
సంచాలకులు

ಸ್ಪೆ. ಪ. ಹುಕುಂ ನಂಬರು ವಿ.ಟ.

1 ತಾಲೂಕ
2 ಪೇಠ
1 ದಿವಾಣ ಸವಣೂರ
1 ಪೋಲೀಸ ಸ್ಟೇ॥ ಸವ ॥ ಬಾ ॥
ಜಿಲ್ಲಾ ಧಾರವಾಡ

ಮಾಮಲೇದಾರ ಸ್ಟೇ॥ ತಾಲೂಕೆ ಇವರಿಗೆ—

ಅಜತಫರ್ಮ—ಶ್ರೀ—ಡಬ್ಲ್ಯೂ ಹಡಸನ್ ಕಲೆಕ್ಟರ ವ-ಡಿಸ್ಟ್ರಿಕ್ಟ ಮಾಜಿಸ್ಟ್ರೇಟ ಸ್ಟೇ॥ ಬಾ॥ ಜಿಲ್ಲಾ ಧಾರವಾಡ ಸಲ್ಲಾಂ—ದಿಗರ—ಶ್ರೀ ಜಗದ್ಗುರು ಗಂಗಾಧರಸ್ವಾಮಿ ಮೂರುಸಾವಿರ ಮಠ ಹುಬ್ಬಳ್ಳಿ ಇವರ ಕಡೆಯಿಂದ ಯಾದಿ ನಂಬರು 21 3—2—1909 ನೇದು ಬಂದದ್ದರ ಮೇಲಿಂದ ಅಪ್ಪಣೆಆದಲ್ಲಾ:—ಶ್ರೀ ಜಗದ್ಗುರು "ಗಂಗಾಧರಸ್ವಾಮಿಗಳವರು" ಸಂಚಾರ ಕ್ರಮದಿಂದ ಹುಬ್ಬಳ್ಳಿಯಿಂದ ಹೊರಟು ಜಿಲ್ಲಾ ಮಜಕೂರ ಪೈಕೆ ನವಲಗುಂದ, ಗದಗ, ರೋಣ, ಹಾವೇರಿ, ರಾಣೆಬೆನ್ನೂರ, ಮೊದಲಾದ ತಾಲೂಕುಗಳಲ್ಲಿ ತೀರ್ಥ ಬರತಕ್ಕವರಿದ್ದಾರೆ. ಆದ್ದರಿಂದ ಶ್ರೀಗಳವರು ನಿಮ್ಮ ತಾಲೂಕಿನಲ್ಲಿ ಬಂದಾಗ್ಗೆ ಸದರಿಯವರಿಗೆ ಸರಿಯಾದ ಮಾನಮರ್ಯಾದೆ ಮಾಡಬೇಕು ಮತ್ತು ಅವರಿಗೆ ಬೇಕಾಗುವ ಯೋಗ್ಯ ಮದ್ದತು ಮಾಡಬೇಕು. ಶ್ರೀ॥ ಶ್ರೀ ಸ್ವಾಮಿಗಳವರ ಹೆಸರಲ್ಲಿ ಸದರೀಯವರು ಸಿವಿಲ್ ಕೋರ್ಟಿಗೆ ಸ್ವತಃ ಹೋಗತಕ್ಕ ಅವಶ್ಯವಿಲ್ಲೆಂತ, ಮಾಫಿ ಇದ್ದಬಗ್ಗೆ ಸರಕಾರ ತರಾವು ನಂಬರು 6664; ತಾರೀಖು 20—12—1905ನೇದು ಆಗಿರುತ್ತದೆ.

ಆದ್ದರಿಂದ ಶ್ರೀ। ಶ್ರೀಯವರ ಹತ್ತರ ಇರುವ ಹತ್ಯಾರಗಳಬಗ್ಗೆ ಸನ್ ೧೮೭೮ನೇ ಇಸವಿಯ ಇಂಡಿಯಾ ಆಮ್ಸ್ಆಕ್ಟ ನಂಬರ ೧೧ನೇದರ ಕಲಂ ೧೫—೧೪—೧೫ನೇ ಪ್ರಕಾರ ಲೈಶನ್ಸಿ ಸದರಿಯವರಿಗೆ ಅವಶ್ಯಕತೆ ಇಲ್ಲ. ಕಾರಣ ಹತ್ಯಾರಗಳ ಬಗ್ಗೆ ಸದರಿಯವರಿಗೆ ಪ್ರತಿಬಂಧ ಆಗಬಾರದು. ಇದರಂತೆ ಶ್ರೀ॥ ಶ್ರೀಗಳವರು ನಿಮ್ಮ ತಾಲೂಕಿನಲ್ಲಿ ಮುಕ್ಕಾಂ ಮಾಡುವಯಾವತ್ತು ಗ್ರಾಮಗಳಲ್ಲಿ ಬಂದೋಬಸ್ತ ಇಡುವಬಗ್ಗೆ ಯಾವತ್ತು ಗ್ರಾಮಸ್ತರಿಗೆ ಹುಕುಂ ಕೊಡಬೇಕ್ಕು. ಸದರಿಯವರ ಮರ್ಯಾದೆಗೆ ಬಿಲುಕ್ಲ್ ವ್ಯತ್ಯಾಸ ಬರಕೂಡದಂತೆ ತಜವೀಜ ಇಡಬೇಕ್ಕು.

ತಾರೀಖು 14—2—1909

Signed C Hudson.

Collector and District Magistrate.

ನಕಲು ಮಾಹಿತಿ ಬಗ್ಗೆ ಶ್ರೀ ಜಗದ್ಗುರು ಗಂಗಾಧರಸ್ವಾಮಿ ಮೂರುಸಾವಿರ ಮಠ ಹುಬ್ಬಳ್ಳಿ ಇವರ ಕಡೆಗೆ ರವಾನೆ 1—3—1909

Signed V. N. Sathaye.

For Collector.

No. 4276 *of* 1910

Satara 27 *June* 1910

CIRCULAR.

As Shree Jagadguru Gangadhar Swami Murusaviramath, Hubli District Dharwar wishes to visit the Satara District the $\frac{\text{Mamlatdars}}{\text{Mahalkaris}}$ are requested to arrange to keep the peace and to extend to him such assistance and courtesies as are customary in the case of a Swami of his position.

2. They are further requested to inform the Police that the Swami is exempted from the operation of sections 13, 14/15 and 16 of the Arms Act.

Sd/- A. R. Bonus

Collector and District Magistrat

SATARA.

To,

All Mamlatdars.

All Mahalkaris.

The District Superintendent of police Satara.

The Karbhari to the Swami.

S.S.P.P. HUBLI.
6/7/1910

Reply to No. 27 dated the 22nd April 1910 from Shankarappa Achappa Topgi, Karbhari to Shri Murusavir Math, Hubli.

No. 1990 *of* 1910

KOLHAPUR AND S. M. C. POLITICAL AGENCY.

Kolhapur, 26th April 1910.

Necessary instructions in the matter have been issued to the authorities of the states concerned.

Sd/ *Major*

Political Agent, Kolhapur

and S. M. Country

No. 2186 *of* 1910.

KOLHAPUR AND S. M. C. POLITICAL AGENCY.

camp Amba, 6th May 1910

Memorandum.

In reply to his petition No. 30 dated the 1st May 1910, requesting to be supplied with the copy of the political Agent's instructions to the authorities of the states concerned, in connection with the proposed visit of Shri Jagadguru Gangadhar swami Murusavir Math Hubli to Kundgol, Laxumeshwar, Gudgeri and Shirhatti, Mr: Shankarappa Achappa Topgi, Karbhari to the swami, is informed that the instructions form a part of official correspondence, and that therefore a copy thereof cannot be given to him.

Sd/ *Major*

Political Agent, Kolhapur

and S. M. Country.

(S. S. P. P. HUBLI)
20—5—1910

No. J.– 1970 *of* 1910

Poona, 2nd July 1910

To,

All Mamlatdars and Mahalkaris, Poona District.

Whereas Shree Jagadguru Gangadhar Swami, Murusaviramath Hubli, District Dharwar, has sent a memorandum No. 39 dated 24th June 1910, it is ordered in pursuance thereof as under:—

The Swami will soon visit several towns and villages in the Poona District with his usual insignia in a cross palanquin. On his visit therefore, you should see that his progress is facilitated and that he is treated with the respect due to his position.

The Swami is exempted from personal appearance in civil courts by Government Resolution No. 6664 dated 20th December 1905 and is therefore exempted from the operation of sections 13, 14, 15, and 16 of the Indian Arms Act No. 11 of 1878. He should not therefore be hindered as regards the possession of arms in reasonable quantities. You should issue orders to the officers of the several villages of the Taluka which the Swami intends to visit. You should take care that nothing happens to the derogation of the honour due to him.

Sd/- G. L Mac Gregor
District Magistrate, Poona.

No. J. 1993 *of* 1910
Poona, 4th July 1910.

Copy forwarded to the District Superintendent of police, Poona, who is also requested to issue similar instructions to his subordinate police officers for the making of necessary arrangements.

Sd/- G. L Mac Gregor
For District Magistrate,
POONA

No. J. 1994 *of* 1910
Poona, 4th July 1910

Copies forwarded with compliments to the Karbhari, Murusavira Math, Hubli, for information with reference to his letter No. 39 dated 24th June 1910.

Sd/- G. L. Mac Gregor
For District Magistrate,
POONA

(S.S.P.P.HUBLI.)
9/7/1910

G. R. S. 12]
General and Revenue Secretariat.

File No. of 190

Serial No.

Pet-No 2543

Jn 7 209 ii)

Copy Petition of 2 Oct 10 from certain Non Mahomedan Citizens of Poona in Belgaum Dist to the Gov^r of Bombay, recd by Post on 19th inst

This may be placed in the file now under disposal containing a copy from the Dep^t of Finance relating to an appl^n from Lingayet Gurus to proceed in procession with umbrellas Recd 20 Nov 10.

Br VII
CM
29/11/10
Submitted to Secretariat
Ambabhanoya
29.11.1910
Hy
30/11/10 CM
Placed in Unit file
CM
1/12/1910

NOTE—Contn sheet

GPB—55,000—27-4-09

Pet. No 2543

Recd by post on 19 Nov '10

To,

His Excellency the Right Hon'ble,

Sir George Sydenham Clarke,

G. C. M. G, G C. I E.,

Governor and President in Council,

BOMBAY.

May it please Your Excellency.—

That Your Excellency's most humble Memorialists the non-Lingayat Hindu inhabitants of Athni in the Belgaum District, being dissatisfied with an order of the District Magistrate of Belgaum dated the 31st of August 1910 allowing the Lingayats of Athni to take out a Vyasantol procession through certain streets of the town of Athni, submitted to Your Excellency-in Council by post on the 16th of September last a memorial praying, for reasons given therein, for cancellation of the said order of the District Magistrate. The time allowed for holding the procession being very close, that is, between the hours of 8 and 10 A.M. on the 20th of September last, Your Excellency's Memorialists were obliged to draw up the petition very hurriedly and were, in consequence, unable to mention all the material facts in connection with the procession and the authorities on which your Memorialists relied This memorial is, therefore, intended as a supplement to the memorial already submitted. The Memorialists crave the indulgence of Your Excellency-in-Council's kind perusal of this memorial and its accompaniments.

2. The Lingayats of Athni presented a petition to the District Magistrate of Belgaum on 11th July 1910 asking for permission to make a Vyasantol procession. In anticipation of the petition the non-Lingayat Hindus had applied to the District Magistrate on 8th Idem requesting him to refuse the permission, if asked for, on grounds set out by them On the presentation of the petition by the Lingayats, the District Magistrate called for the Mamlatdar's report as to whether there was any objection to granting the permission and directed him to send all the previous orders on the subject that might be in his office. The general tenor of the Mamlatdar's first report being in favour of the Lingayats suggested that if permission be granted riot might follow, the Brahmin leaders should be asked to furnish securities and that a party of 25 armed constables was necessary to keep order.

The Mamlatdar's second report was made on 13th August 1910 after he personally saw the District Magistrate as could be seen from the report itself. Along with this report he has sent in a map marking out the route which the procession would have to take.

After calling for the papers in connection with the Vyasantol case in the Kanara District the District Magistrate passed his final order on 31st August 1910 granting permission to the Lingayats of Athni to make a Vyasantol procession.

Your Excellency's Memorialists being aggrieved by this order presented a petition of revision to the Hon. Mr. Gibb, Commissioner, Southern Division. Though the Commissioner eventually dismissed the petition on 15th September 1910 as he thought that he was precluded from interfering with the order of the District Magistrate by Government Resolution No. 441 dated 16th January 1897 Judicial Department, he has clearly expressed his opinion on the Vyasantol procession generally in a learned and very carefully considered Judgment, portions of which have been given below :—

> " 7. It behoves, therefore, any authority which decides cases of this sort to consider not merely whether a breach of the peace is probable but whether the act in question is necessary to the exercise of a particular form of religion, whether the nature of the act is innocent and whether it has been customary to perform it.
>
> " 8. In the present case it does not appear to be contended that the carrying of the Vyasantol emblem has ever been the practice in the Belgaum, Bijapur or Dharwar Districts, and it is certain that on various occasions it has been forbidden.
>
> " 14 I think it probable, however, that the permission given in Athni may be followed by applications for similar permission elsewhere. I therefore think it desirable to state my opinion that the case of Athni should not be taken as a precedent for allowing in towns or parts of towns not occupied exclusively by Lingayats a ceremony which has hitherto been forbidden."

After this order a petition was submitted to Your Excellency-in-Council as mentioned in the opening portion of this petition and another was presented in His Majesty's High Court of Judicature at Bombay on 19th September 1910, for revision of the District Magistrate's order. An interim stay order granted by the High Court on the same day, which put a stop to the procession, was really a godsend. The High Court, however, ultimately, on the 14th of this very month dismissed the petition with the remark " we can express no opinion as to the wisdom or expedience or propriety of the order " and recommended a memorial to Government on the ground that it had no jurisdiction to interfere with an executive order made under Section 44 of the District Police Act (Bombay Act IV 1890) such as the one in question. Your Excellency-in-Council is therefore the only resource of the Memorialists.

3. The Vyasantol consists in tying at the top of a long pole something that has the appearance of an arm and carrying it in procession. The tying of the arm to the pole is intended to represent a Lingayat legend that Nandi cut off the right arm of Vyasa, the Author of the Hindu Purans, who is much venerated by

the orthodox Hindus and regarded as God. The Vyasantol exhibition is very offensive and revolting to the religious sentiments of the orthodox Hindus and a Vyasantol procession is likely to endanger public tranquility.

A Vyasantol exhibition is calculated and is proved by past experience to inflame religious animosity and to promote feelings of enmity between different classes of His Majesty's subjects. The public exhibition of Vyasantol is an offence such as would fall under Section 298 of the Indian Penal Code.

4. The exhibition of the Vyasantol emblem is neither a religious ceremonial of the Lingayats nor a part of their religious ceremonies. It is no part of daily or occasional Lingayat worship nor is it essential for the completion of any such worship. It is never alleged much less proved that it is so.

The Lingayat religion has never suffered for want of the exhibition of the Vyasantol and it was never contended that the carrying of the Vyasantol emblem has ever been the practice in the Belgaum, Dharwar and Bijapur Districts.

5. The following orders, decisions, proclamations etc. will show clearly that the carrying of the Vyasantol in procession has not been the practice in the Southern Maratha Country and Mysore Territories for nearly a century past.

(A) The reply to the Principal Collector and Political Agent, Kolhapur from the Resident of Mysore dated 12th November 1827 proves that the carrying of the emblem was " not mamool or sanctioned in Mysore Territories."

(B) Letter No. 305 dated 21st March 1836 from the Ag. Registrar of the Sadar Fouzdari Adawlat to the Acting Magistrate, Dharwar informing him that the Right Hon'ble the Governor-in-Council had resolved to put a stop to the exhibition of the Vyasantol by the Lingayats of the town of Dharwar, as the continuance of it was likely to create serious riot and blood-shed and directing him to give full effect to the measure. This measure is said therein to be perfectly consistent with the Judgment of the Sadar Divani Adawlat in Special Appeal No. 609 of 1833 which recognized the right of the Magistrate and of course of the Government which is the Supreme Magistrate to prevent the procession in question when there was danger of its leading to serious violations of the public peace.

These instructions were directed to be communicated to the Joint Magistrates of the Zilla for their information and guidance also, the Right Honourable Governor-in-Council having determined to put a stop to the *obnoxious ceremony throughout the District.*

It may be noted here that at this time the present Belgaum District was comprised in the Dharwar District. Athni consequently formed part of the Dharwar District.

(C) In pursuance of the above Resolution Mr. Dunlop the Principal Collector and Magistrate Soobha Dharwar issued a Proclamation on 1st

April 1836 to the effect that "as no advantages but disputes arise from the Lingayats tying the Vyasantol, the practice is, therefore, to be discontinued. It is, in consequence, now made known that *no one shall tie the Vyasantol, in future*, and that whoever contravenes this order by parading the same shall be visited with punishment."

(D) Extract from the report of the Judicial Commissioner for the Southern Concan and Dharwar dated 28th June 1836.

This mentions the fact that a body of Lingayats addressed him on the subject of their processions prohibited by Government but were told that Government, *after mature consideration*, found it necessary to put a stop to them for the preservation of the peace of the country and warned them against any infringement of the order of Government.

(E) Extract of Letter from Acting Registrar Sadar Divani and Sadar Fouzdari Adawlat dated 15th July 1836.

"The Court feels as much confidence in the assurance expressed of future tranquility as can possibly be entertained in a subject which of all others produces the most sudden excitement and tremendous consequences when acting upon the feeling of the multitude in religious party spirit and superstition."

(F) Judgment and order of the Second Assistant Magistrate Subha Belgaum passed on 23rd August 1836 sentencing ten out of thirty-two Lingayats of the town of Bagalkot each to pay a fine of Rs. 30 or in default to undergo imprisonment for having paraded the Vyasantol in New Peth at Bagalkot, in contravention of the orders of Government and for having brought on a riot.

The Bagalkot Taluka was at this time comprised in the Belgaum Collectorate.

(G) Extract from the proceedings of the Sadar Fouzdari Adawlat dated 26th September 1836.

The prisoners were charged with parading the Vyasantol and not with conspiracy. The charge of conspiracy was corrected into one of disobedience of an order of Government.

(H) Extract of a Letter from the Honourable the Court of Directors in the Judicial Department No. 2 of 1838 dated 16th May 1838.

"Presuming your (Government) conviction to be well founded that the Vyasantol procession at Dharwar was incompatible with these necessary conditions (that is, the peace of the country) in consequence of the mutual animosity subsisting between the Lingayats and Brahmins, we approve of your (Government) having resolved that it *shall not take place in future.*"

(I) Order of Mr. Forgett, Superintendent of Police, Belgaum District to Mamlatdar Taluka Athni dated 21st May 1853 to the following effect:—

" The parading of Vyasantol has been stopped by Government orders. Notwithstanding this, about two months ago there was a procession of Vyasantol in Savadatti which resulted in a riot. It is therefore ordered that as soon as you hear of any attempt to parade Vyasantol you must at once inform us. A copy of this order should be sent to the Mahalkari of Parasgad for guidance."

(J) On the authority of Letter No.305 dated 21st March 1836 of the Sadar Fouzdari Adawlat mentioned above, Mr. Inverarity, District Magistrate of Belgaum issued the following proclamation on 30th May 1853.

" The parading of the Vyasantol emblem will lead to serious riots and blood-shed. Hence all people, principally the Lingayats, are informed that nobody should parade it and the persons who parade it and those aiding them will be arrested and severely punished."

(K) Extract from the Barnishi, Taluk Kacheri, Taluka Athni, is to the like effect.

(L) Order of Mr. Forgett, Superintendent of Police to Joint Police Officer Taluka Athni dated 15th June 1853.

" You are aware of the strict orders of Government that Vyasantol should not be paraded and in this connection orders have already been issued by us and the District Magistrate to the Mamlatdar and Mahalkari. Vyasantol procession should never be allowed to take place. As soon as you hear of any attempt to parade it you should report the matter to us by a special messenger."

(M) Order of Mr.Forgett, Superintendent of Police, District Belgaum to Mahalkari of Yadwad dated 4th July 1853 as follows :—

" The parading of Vyasantol leads to serious riots and murder ; hence Government have stopped it. If anybody attempts to parade it *in any other name* the matter should at once be reported to us by special messengers specially reserved for the purpose Copies of this order should be published for the guidance of the public by affixing them to the Chavadi in every village."

(N) Order of Mr. Forgett, Magistrate and Superintendent of Police District Belgaum to Joint Police Officer Taluka Athni and to the Mamlatdar Taluka Athni dated 4th July 1853 is to the same effect.

(O) Notice dated 26th November 1894 under clause I of Section 42 of Act IV of 1890 to Murgi Swami Gachinmath of Athni by the Magistrate First Class, Athni, to the effect " that his installation of a Vyasantol Stone

in a public place is likely to lead to a great riot by creating religious excitement in the minds of the devotees of Vishnu and that he is consequently ordered not to fix such a stone either personally or by others."

(P) Proclamation issued by Magistrate First Class, Athni under orders from District Magistrate, Belgaum under clause I of Section 42 of Act IV of 1890 dated 26th November 1894 as follows :—

" If Vyasantol be fixed in the town of Athni it is likely to lead to a breach of the peace by causing religious excitement in the minds of the devotees of Vishnu ; it is, therefore, ordered that no one shall fix Vyasantol in Athni Town. If anybody contravenes this proclamation he will be punished according to law.

(Q) Report of the District Magistrate Belgaum, submitted through the Commissioner to Government, dated 4th December 1894, below copy of a telegram dated 13th November 1894 from the Lingayets of Athni, forwarded by Government for inquiry and report.

The report mentions that " the Lingayats had exhibited outside their Math in a public thoroughfare a stone slab with the forearm and hand of a human being. This device was understood to represent the limb of a certain much revered saint and incarnation of Vishnu who wrote some of the Purans etc. and to be symbolical of the dominance gained by the Bull (Basawanna) and his followers over Vishnu and his adherents. Its exhibition was the cause of a strong religious excitement and a large crowd assembled in front of the Math which they would have probably assailed together with its custodians had not the local Magistrate First Class and the Police with commendable promptness and decision pacified them by removing the *objectionable slab* out of sight. The Magistrate First Class's procedure was approved and confirmed and he was instructed to allow the owners to remove the slab to their Math if they satisfied him that they would not again expose it in public and he was further directed in case they did so to proceed against the offenders promptly and rigorously."

(R) Government Resolution No. 6128 dated 2nd September 1895 Judicial Department sanctioning the defence of the Mamlatdar and Magistrate First Class and Chief Constable of Athni in a suit brought by Shidlingswami and three others against them for damages for their having removed the slab mentioned above.

(S) Government Resolution No. 8140 dated 28th November 1896 Judicial Department, approving of the action of Rao Saheb Krishnaji Pandurang Joshi Mamlatdar and Magistrate First Class Athni, in holding that the installation of the Vyasantol slab would inflame religious animosity and hence removing it to the Kacheri.

(T) Decree in Suit No. 1 of 1895 of the District Court Belgaum instituted by Shidlingswami and three others against the Mamlatdar and Magistrate and Chief Constable Athni for damages for having removed the Vyasantol slab. This suit was dismissed on 18th February 1898.

(U) Order of the Sub-Divisional Magistrate First Class to the Mamlatdar and Magistrate of Athni dated 11th April 1899, directing him to take from the Agent of Shidlingswami of Gachinmath an agreement that he would remove the Vyasantol slab to Gachinmath in secret.

(V) Agreement as stated above executed by agent of Shidlingswami to Government dated 9th May 1899.

(W) Bijapur Gazetteer pages 229-230 mentions :—

" Vyasantole or the hand of Vyas, the reputed author of the Purans, is a hand made of rags which is tied to Nandi's horns, and to exasperate Brahmins is paraded in streets where Brahmins are numerous. As the name of Vyas is sacred to them as the name of a God, Brahmins when his hand is paraded are by no means backward in avenging the insult by force. Formerly riots were of constant occurrence and about 40 years ago in one fight in Dharwar many lives were lost. The parading of Vyasa's hand was forbidden. In 1882 it caused a riot in Bellubi."

(X) Proceedings of the Government of H. H. the Maharaja of Mysore Muzrai No. 979-83 dated 2nd November 1903 directing that the cash allowance payable to the Murgi-Math (Lingayat High Priest) be stopped until the Math should submit a sufficient explanation and apology in the matter of the predecessor of the present Guru of the said Matt having unauthorizedly used some of the prohibited insignia on the 16th October 1902.

(X') Petition No. 270 dated 8th July 1905 from the present Guru of the Murgi Matt submitting an explanation and apology to the Government that he would not use the prohibited insignia and that the cash allowance withheld be paid over to him. Order thereon No. 1111-12 dated 28-8-1905.

(Y) Resolution of the Mysore Government dated 4th September 1905 referring to the order of the District Magistrate, Chitaldrug District dated 7th February 1892 and the order of Capt. Cole, Deputy Superintendent of the Chitaldrug District dated 11th September 1863, by which the *Murgi Math* (Lingayat High Priest) *at Chitaldrug was prohibited* from using certain insignia of which *Nandidhwaja with Vyasantol attached* is one and which the agent of the Murgi Math had agreed that the Math would not use.

(Y') The Government were pleased to accept the explanation and apology of the Guru and to direct that the monthly allowance be continued. The Guru was warned that he should not use in future all or any of the prohibited insignia either within or without the precincts of the Matt.

(Z) Resolution of the Government of H. H. the Maharaja of Mysore, No. 775 dated 9th August 1907, Muzrai Department, on representations of the representatives of the High Priests of the several Brahmin and Goud Brahmin Maths, *viz.* Uttaradi Math, Raghavendraswami Math, Vyasarayaswami Math, Shringeri Math, Kudla Shringeri Math, and Parakal Math.

"And in respect of your submission that on the authority of the Passport now granted to the Murgi Math, they have been attempting to tie to the *Nandidhwaja* badge the *Vyasantol* which is injurious to the feelings of the people of other tenets, the Nandidhwaja alone is mentioned in the Passport given from here and *Vyasantol has not been mentioned at all.* As regards this, the local authorities will take suitable precautions."

The orders, decisions, proclamations etc. referred to above prove that there has never been the practice of the Lingayats to carry the Vyasantol in procession for nearly a century past and there are no records to establish that there was extant any such practice before that period.

6 The District Magistrate, without hearing your Memorialists or their pleader and without giving them an opportunity of producing all the documentary evidence in support of their case, granted the permission asked for by the Lingayats. There were many papers in the Records of the District Magistrate himself and in the Records of other Districts as well, to which your Memorialists would have invited the attention of the District Magistrate, but having had no opportunity, they were unable to do so. Your Memorialists, therefore, beg Your Excellency's attention to the accompanying statement which will show clearly the papers of which certified copies could be got and have been annexed hereunto and also the papers of which certified copies could be got but were not supplied to their pleader though he had applied for them. It will also show the papers of which the Memorialists had obtained certified copies which they have produced in the High Court and of which fresh copies cannot be obtained within a short time.

7. The current of orders, decisions, proclamations etc. from the oldest times of which there is any record unmistakably indicate that on every occasion on which the Lingayats attempted the exhibition or procession of Vyasantol, there have been grave disturbances of the public tranquility culminating in some instances in serious loss of life. The Lingayats are perfectly at liberty to carry on any religious procession which is innocent and for that purpose use the public streets. But the exhibition or procession in question is peculiarly offensive inasmuch as it purports to hold to public scorn and contempt a saint whom the other Hindu sects look upon and worship as an incarnation of God. It produces the most sudden religious excitement among the other Hindu sects who are followers of the Vedic and Puranic religion such as Brahmins, Marathas, Shimpies, Jingars, Gavalis, Sonars, etc. and rouses their passions to such an extent that they find themselves unable to control them

The Lingayats' pretensions to the parading of Vyasantol do not involve any principle of religious toleration but a question demanding a meek submission to a deliberate insult vauntingly and exultingly offered to the religious sensibilities of members of the other sects.

8. With a wide acquaintance with the temper and susceptibilities of the people committed to their charge Government have adhered to the wise policy of prohibiting the public exhibition of an emblem from which no benefits but only disputes have arisen.

9. In view of all the authoritative orders etc. on the subject and in view of the fact that the Lingayats have never, after its express prohibition, established their right to carry the emblem in procession in a Court of Law, one would expect the District Magistrate of Belgaum to have refused permission to the Lingayats to hold a Vyasantol procession. But the District Magistrate has, if your Memorialists be permitted to submit,brushed aside by a single stroke of the pen all previous orders on the subject emanating from the Court of Directors in England down to the Superintendent of Police in India and extending over a period of nearly 100 years.

10. The District Magistrate of Belgaum makes no mention of the section of the enactment under which he proposes to sanction the Vyasantol procession.

Though he says that the procession is not likely to lead to a breach of the peace, still there are strong indications in the order itself that he did apprehend a breach of the peace. His directing the Sub-Inspector of Police Athni to conduct the procession with a sufficient force to prevent a possible disturbance can mean nothing else. His letter No. 8381 dated 13th September 1910 to the Superintendent of Police Belgaum,to instruct the Assistant Superintendent Mr.Collet to be present at Athni during the procession and to see that no breach of peace occurred is also an indication in the same direction. His order to the Magistrate First Class, Athni to be present at Athni for the occasion points to the same conclusion

Notices were issued to be served upon the prominent members of Non-Lingayat Hindu Communities under Section 42 of the District Police Act directing them not to cause a breach of the peace.

The Sub-Divisional Magistrate had ordered the local Magistrates to be present in the procession for keeping order.

He had ordered the Mamlatdar to send for the Police Patils of about 15 villages to be present in Athni with their Sanadis to keep order.

About 50 armed and unarmed constables were ordered from Belgaum, Chikodi, Hukeri, and Gokak Talukas.

He had ordered all the bypaths to the procession-route to be fenced.

He had ordered the Mamlatdar to station sepoys to prevent people from getting on the roofs of their houses abutting on the procession streets.

He had ordered all the shops in the said streets to be closed.

It is understood that many other similar orders were issued between the 3rd and the 20th of September. Certified copies of these orders were applied for but were not furnished by the Mamlatdar and the Sub-Divisional Magistrate.

A kind reference to these orders and the special preparations will unmistakably point out that the authorities did apprehend a grave disturbance of the peace.

11. Your Excellency's Memorialists beg the favour of considering whether in the face of opposition the District Magistrate was justified in allowing the procession to take place with so many safe-guards and with a total disregard for the feelings and sentiments of the other sects and in permitting the Lingayats to enjoy at the expense of the other Communities.

12. The District Magistrate has endeavoured practically to shield the Lingayats from the effects of what independently amounts to an offence in the eye of the Law. Your Memorialists with due deference submit that the District Magistrate went far beyond the powers conferred by any enactment upon a District Magistrate charged with the safety and protection of His Most Gracious Majesty's humble and loyal subjects.

13. Your Excellency's Memorialists respectfully submit that there is no street in Athni which is in exclusive occupation of the Lingayats and that the Lingayats can lay no exclusive claim to any public street in the town of Athni. The accompanying uncertified copy of the affidavit of one of the Memorialists filed in the High Court will show that the statement in the report of the Mamlatdar of Athni dated 13th August 1910 that there were only six shops of Brahmins and two partly Brahmin and partly Lingayat shops in the streets in which the procession was to take place is incorrect.

14. The Commissioner's lucid Judgment seems to show that he saw the danger of allowing the procession to take place and he therefore thought it desirable to state his opinion " that the case of Athni should not be taken as a precedent for allowing in towns or parts of towns not exclusively occupied by Lingayats a ceremony which has hitherto been forbidden."

Your Excellency's humble Memorialists, in fine, most humbly and respectfully pray that Your Excellency be graciously pleased to set aside the order of the District Magistrate of Belgaum allowing the Lingayats of Athni to hold a Vyasantol procession and to forbid similar processions in future.

For this act of kindness, the Memorialists shall, as in duty bound, ever pray.

ATHNI,
26th October 1910.

Respectfully submitted for kind perusal with the humble respects of the people of Athni to the Belgaum Dt. to the Honorable Diwan Bahadur T. Anandrao, Diwan of Pangana.

To Diwan Bahadur
T. Anandrao.
Diwan Mysore
Bangalore

13 735

Dft as per orders

G.R.S. 26]

File No.

Serial No.

Diary No. of letter replied to

No. [illegible]

Dr 2-4-11

General and Revenue Secretariat

( )

, the 190 .

Date of issue

Signed by

To

The Dy Commr
Shimoga Dist

Sir,

With reference to your letter no 128/31 dated 18th Oct 1910 forwarding a yadi of the Mukhtar of the Mukhtarsavira matt of Hubli and soliciting instructions in the matter of allowing the Guru to tour in your District with the insignia mentioned in the Agents' yadi, I am directed to state that it would be best to issue, without specifying any insignia, a general permit saying that the progress should be carried

over.

SUBJECT.

[illegible]
2/12

with due regard to the manual and laws in force in the Mysore State. An exception under the Arms Act in British India has, I am to observe, no operation whatever within the Mysore State. The Guru should therefore be informed by you as Dist. Magistrate, that he should apply for a license — obtain a ~~licence~~. I am to add that you will in your communications do well to avoid using the title 'Jagad guru' assumed by the Guru in this case —

We are in India permitted in the territory permissible here merely on that account.

I have &c

DBA 6/
9/11/1910.

for Secretary.

List of enclosures.

Copied by

Examined by

MGCPB—30,000—16-2-05